IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.2749 OF 2006

Mr. Girish Lodha. ..Petitioner.

Vs.

Charkop Shree Vinayak Co-op.
Housing Society Ltd. ..Respondent.

...

Mr. A.K. Abhyankar with Aniruddha Joshi i/b Piyush Shah for the Petitioner.
Mr. P.K. Samdani, Sr. Advocate for the Respondent.

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CORAM: DR. D.Y. CHANDRACHUD, J.

8th NOVEMBER, 2006.

P.C. :

This Petition has been heard together with companion Writ Petition No.2750 of 2006. An order was passed by consent of the parties in the companion matter. The Co-operative Appellate Court has indicated prima facie reasons for vacating the interlocutory order of injunction which was passed by the Trial Judge. The Co-operative Appellate Court has prima-facie found that the amount of Rs.52.00 lacs was not a transfer made by the

Petitioner from his personal funds but represents money collected from the members of the Co-operative Society. The Petition raises several disputed facts, which will require adjudication at the trial of the main dispute which is pending. No interference is warranted at the interlocutory stage, under Article 226. The Petition is dismissed. The Co-operative Court shall make endeavour to expeditiously dispose of the dispute in accordance with the directions issued by the Court in the companion Petition.